and the plaintiff could not recover his decree amount. It was, therefore, desirable that, in cases where it was proved that the defendant did not possess movable properties, *interim* attachment of immovable properties should be allowed in respect of small cause suits also, as in ordinary suits.

(*d*) Whenever any immovable property was attached or sold through a civil court, a copy of the attachment order or proclamation of sale was usually posted in the taluk office, but there was no register to record such proceedings, like the register of encumbrances in the Sub-Registry offices. Hence, to safeguard the interests of the public, a property-war register should be ordered to be kept in each taluk containing the information.

(*e*) Simultaneous execution of decrees in all the Munsiffs' Courts in a District should be permitted, on the condition that the decree amount, if realised in any other court, should be drawn only through the court which passed the decree. Such an arrangement was necessary to prevent the defendants evading warrants by going out of the jurisdiction of the court in which execution proceedings were, at the time, being taken.

(*f*) Copies of *chittas* were required to be stamped both in the taluk offices and in the civil courts. The payment of stamp duty at the taluk office should be stopped. Copies of *chittas* should be required to be prepared in the taluk offices on stamped copying sheets instead of getting paper and fees from the applicants.

(*g*) Refunds of process fee, etc., not exceeding rupees five in amount should be ordered to be made in cash by the courts themselves instead of by cheques as at present.

(*h*) In the matter of civil suits, if the judgment allowed costs, it was taken to include vakils' fees also, but the same was not the case in small cause suits. In the case of the latter, unless the judgment made specific mention of vakils' fees, they were not taken into account. The distinction should be removed, and it should be ruled that costs should include vakils' fees in both kinds of suits.

(*i*) With the issue of the High Court Circular which came into effect from the 1st Thulam 1093, parties experienced great difficulty in getting debtors arrested in execution of decrees. The Head Clerk was now responsible for everything. The application for arrest had to pass through several hands in the court and the matter became public before there was any chance of the debtor being apprehended. The old arrangement under which the Nazir attended to such warrants should, therefore, be revived.

(*j*) Two or three Panchayat courts should be opened in each taluk.

(*k*) The High Court should inspect all the lower courts at least once in two years.

(*l*) There were no laws in the statute book of the State regarding evidence, contract and transfer of property. It was necessary that steps should be taken to legislate for the purpose.

*Dewan's reply.*—The representation of the Member will be referred to the High Court.

**48. Need for the appointment of an additional Munsiff in the Kottarakara Munsiff's Court.**

*Mr. C. P. Kochukunju Pillai* (Member, Kottarakara taluk) said that during the last three or four years the arrears in the Kottarakara Munsiff's Court had been steadily increasing. The number of cases at the end of Makaram 1094 was 1,507. At present there were on the file 725 original suits and 900 small cause suits. Those represented only one-half of the annual file. The arrears at the end of the year would be about 1,500 cases. The volume of work indicated above was too much for a single Munsiff. Even now, several cases of 1090 were pending. The High Court had enjoined that no arrears should be left in small cause suits; and so, much of the time of the Court was being taken up with small cause suits. The next important item of work was disposal of cases of 1090 which was followed by other items of a miscellaneous nature, with the result that cases of 1091, 1092, 1093 and 1094 posted

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for hearing or for evidence could not be dealt with. That led to several witnesses summoned from distant places being kept back for days for tendering their evidence with consequent hardship and loss to them, not to speak of other inconveniences to the litigant public generally. The Member, therefore, requested that a temporary additional court might be opened at Kottarakara to work off the arrears.

*Dewan's reply.*—Noted.

**49. Desirability of shifting the Karunagapalli Munsiff's Court to Sasthancotta.**

*Mr. N. Padmanabha Pillai* (Member, Kunnattur taluk) said that the people of Sasthancotta and the neighbouring *pakuthies* were being put to great hardship on account of the want of a Munsiff's Court there. Most of the cases filed at present in the Kunnattur Munsiff's Court were from the southern *pakuthies* of the taluk in which Sasthancotta was situated. Judging from the number of suits filed from the northern *pakuthies*, there was no justification for the location of the Munsiff's Court at Adoor. The proposal of the Member was that the Munsiff's Court at Karunagapalli should be shifted to Sasthancotta with territorial jurisdiction as defined below and the Munsiff's Court at Adoor abolished altogether :—

1. The *pakuthies* of Omallur, Pattanamthitta and Kumpazha, to be transferred from the Adoor Munsiff's Court to the jurisdiction of the Chengannur Munsiff.

2. The *pakuthies* of Pandalam Thekkekara and Palamel from the same court to be transferred to the Mavelikara Munsiff.

3. The *pakuthies* of Koduman, Vallikodu and Enathimangalam from the same court to the jurisdiction of the Kottarakara Munsiff.

4. The *pakuthies* of Karunagapalli, Kulasekarapuram and Thazhava to be transferred to the Krishnapuram Munsiff from Karunagapalli.

5. The proposed Court at Sasthancottah to have the following *pakuthies* :—

Thekkumbhagom, Chavara, Ponmana, Thevalakkara, Mynagapalli and Thodiyil from the Karunagapalli taluk and Suranad, Patinjarekkallada, Poruvazhi, Kunnattur, Pallikkal and Adoor from the Kunnattur taluk.

*Dewan's reply.*—Noted.

**50. Desirability of shifting the Krishnapuram Munsiff's Court to Kayankulam.**

*Mr. K. Krishna Pillai* (Member, Trading Classes, Kayankulam) submitted that his subject was an old one, having been brought to the notice of Government at several sessions of the Assembly. He reiterated the circumstances urged on previous occasions and prayed that his request might be granted.

*Dewan's reply.*—The High Court are against the proposal.

**51. Need for the establishment of a Munsiff's Court at Changanacherry.**

*Mr. Ouseph Domini* (Member, Trading Classes, Changanacherry) thanked the Dewan for granting the long-standing request of the people of the taluk.

*Rev. Fr. Thomas M. Murikal* (Member, T. I. C., Changanacherry) said that he would be failing in his duty if he did not convey the grateful acknowledgments of the people of Changanacherry to Government for responding to their prayer.

*Dewan's reply.*—The High Court will be immediately addressed to send up their proposals for the adjustment of the territorial jurisdiction. Every endeavour will be made to start work with the re-opening of the courts after the mid-summer vacation.

**52. Need for the establishment of a Munsiff's Court at Todupuzha.**

*Mr. K. Sankara Aiyar* (Member, Todupuzha taluk) explained the importance of the taluk in regard to area, revenue and population and went in detail into the hardships suffered by them for want of a Munsiff's Court. The distance from the *pakuthies* of the taluk to Muvattupuzha ranges from 13 to 30 miles. Over 700 original suits and 900 small cause suits at present filed in the Muvattupuzha Munsiff's Court were from Todupuzha. If a separate Munsiff's Court could not be

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